



Statement of

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before the

Subcommittee on Oversight and Investigations
Committee on Energy and Commerce
U.S. House of Representatives

May 23, 2018

Good morning Chairman Harper, Ranking Member DeGette, and Members of the Subcommittee. Three months ago, I agreed to serve as the acting CEO of the U.S. Olympic Committee because I felt an obligation to help address the significant and important issues that bring us here today. Like all of you, I was deeply saddened to hear the statements of the girls and women who were the victims of Larry Nassar. I was devastated to find that he was able to perpetuate his abuse for so long.

I heard the powerful and compelling stories of victims and survivors in court and in testimony before Congress, including those that had sought help from people in the Olympic community. They said that they found the system unresponsive, needlessly complex, or fraught with risks to their Olympic dreams. This is appalling and unacceptable. The Olympic community failed the people it was supposed to protect.

I know that we can do better. We will do better.

When I accepted this role, I announced a series of initiatives to strengthen our handling and response to issues of abuse and address other structural weaknesses. We committed to providing funding and resources for gymnasts, and athletes from other sports, affected by abuse. We committed to doubling the Olympic Committee's funding for the Center for SafeSport, enabling it to hire more investigators and resolve cases more quickly, while also supporting its important efforts to educate athletes and deter abuse before it occurs.

We announced a review of our governance structures and SafeSport procedures to ensure we have the ability to act quickly and decisively when necessary to protect athletes. We committed to strengthening the voices of the athletes in our community, including in the operations of the Olympic Committee.

And importantly, we reiterated our commitment to ensuring the reform of USA Gymnastics. Last year we demanded the resignation of the USA Gymnastics CEO, and earlier this year we required a complete turnover of the USA Gymnastics board of directors, along with several additional reforms, as a condition of its continued recognition as a national governing body. This includes full cooperation with the independent investigation we commissioned from the law firm Ropes & Gray.

Mr. Chairman, we are already making progress. Our longer term reform efforts fall generally into four categories, and I would like to update the Subcommittee on each of them.

First, we are redoubling our efforts with the Center for SafeSport. Although it launched just last year as an independent entity, culminating the Olympic Committee's eight-year effort to strengthen protections for athletes, it is already clear that the Center is serving an essential role in protecting athletes. The Center has experienced a significant increase in the number of reports of abuse. Although any report is disheartening, this is precisely the reason that we need the Center: It provides a safe and independent path for athletes to report concerns so that the Olympic and Paralympic community can address them. We fulfilled our commitment to double the Olympic Committee's funding of the Center, adding \$1.55 million to our existing annual grant to enable the Center to hire more staff, conduct more investigations, and undertake additional educational activities. At its launch, the Center focused on sexual abuse cases, as that was the most pressing need. Now we are supporting their work to find ways to investigate other abuses such as bullying and hazing in appropriate cases. Additionally, after one year of experience, the Center is working hard on its policies and procedures to identify potential improvements, and we are working hard to support that effort as well.

Second, we are listening to and enhancing the voices of athletes in the Olympic Committee and the Olympic and Paralympic community. The Ted Stevens Act already requires all Olympic governing bodies to include a significant number of athletes in their governance, and we want to increase the involvement of the broader community of athletes in providing feedback and assistance in strengthening our policies and procedures. The cornerstones of this effort are a number of athlete surveys, one of which we recently completed, and a series of athlete working sessions that we have begun and will continue this year. We are also launching leadership training for athletes who are part of the governance process at the Olympic and Paralympic Assembly.

Third, we announced a governance review to inform our engagement with national governing bodies and athletes, and our oversight of the Olympic and Paralympic movements in the United States. In recent years, the relationship between the Olympic Committee and the national governing bodies has evolved, particularly with respect to the Center, which removed the national governing bodies' authority to investigate and resolve issues of sexual abuse. More recently, the Olympic Committee took a very active role in the reform of USA Gymnastics. We need to make sure we are organized and empowered to take appropriate steps like this especially where needed to protect athletes.

Rebuilding USA Gymnastics is the fourth category of our ongoing focus. We committed to a \$1.3 million grant to the National Gymnastics Foundation, entirely for athlete assistance programs, medical support, and counseling, matching USA Gymnastics' commitment to that

effort. The Olympic Committee's leadership is in nearly constant contact with CEO Kerry Perry, the USA Gymnastics interim board, and others at USA Gymnastics. After we insisted that the CEO and then the entire board resign, we worked closely to advise USA Gymnastics on seating the interim board composed of new voices with more independence. Recently, we supported the interim board as they implemented governance reforms consistent with best practices. We provided financial assistance for USA Gymnastics to engage outside assistance in the seating of a new board and training in board best practices.

Even as we push forward on these four categories, there is an important fifth category of effort that will develop in the coming months when we receive Ropes & Gray's report. The Olympic Committee's board of directors retained Ropes & Gray to conduct a fully independent investigation into Nassar's abuse. We instructed the investigators to identify who knew about the abuse, what they knew and when, and what they did or did not do with this information. Importantly, Ropes & Gray will also investigate the circumstances that allowed the abuse to continue for so long. They are authorized to report on any other findings on abuse in other sports or related information that they deem important. The investigation covers both the Olympic Committee and USA Gymnastics. We have committed to taking any necessary step to ensure that Ropes & Gray has independence in the conduct of the investigation and the resources needed to carry it out fully and effectively. We will make the report public in its complete and unabridged form. The Olympic Committee's board has committed to taking whatever actions are appropriate based on the facts that emerge from the investigation and the report.

The Olympic Committee and the broader Olympic and Paralympic community have made significant progress in strengthening protections for athletes, but our collective efforts must never cease. We must support the victims and survivors, and honor those who have stood up against abuse. We promise to lead the Olympic community to bring real and lasting change.

U.S. Olympic Committee and National Governing Bodies

The Olympic Committee was founded in 1894. It serves as both the National Olympic Committee and National Paralympic Committee for the United States. The Olympic Committee is responsible for the training and funding of the United States' teams for the Olympic, Paralympic, Youth Olympic, Pan American, and Parapan American Games, and serving as a steward of the Olympic movement throughout the country.

In 1978, the Amateur Sports Act (now called the Ted Stevens Olympic and Amateur Sports Act) appointed the Olympic Committee as the coordinating body for all Olympic athletic activity in the United States. Pursuant to the statute, the Olympic Committee supports athletes through funding, health insurance, tuition grants, marketing opportunities, and career services. The Olympic Committee supports the Olympic Training Centers and Olympic Training Sites for athletic training, conditioning, sports medicine, and nutrition assistance. The Olympic Committee also oversees the process by which U.S. cities bid to host the Olympic and Paralympic Games, the Youth Olympic Games, and the Pan/Parapan American Games.

The Ted Stevens Act also authorizes the Olympic Committee to recognize a national governing body for any sport that is included in the various Olympic Games. The Olympic Committee may recognize only one such governing body for each sport (except as it may relate

to the Paralympics). Once selected, that organization takes on a number of obligations related to amateur athletic activity in that sport in the United States, including sanctioning and conducting competitions, and recommending teams to represent the United States in the Olympic Games. The national governing bodies also oversee the training and development of athletes in their respective sports.

Today, there are 49 organizations that have been recognized by the Olympic Committee as a national governing body. There is a large degree of variation among these organizations. For example, U.S. Soccer manages national soccer activities that range from local recreational soccer programs for children to the U.S. National Men's and Women's soccer teams. These diverse soccer programs include thousands of coaches and officials and hundreds of thousands of athletes. Olympic activity, therefore, is a small part of U.S. Soccer's focus and activities. Conversely, USA Pentathlon is a smaller organization and Olympic activities are a primary focus of the organization.

Because each national governing body is the primary organization that manages and oversees the activities of coaches and athletes, each organization has its own rules and procedures related to athletes and coaches. On key areas of governance, however, the Olympic Committee uses its designation authority under the Ted Stevens Act to require each national governing body to adopt certain standards. And in challenging areas that affect the entire Olympic and Paralympic community, we have gone even further to establish entities that are independent of any individual national governing body and dedicated to addressing specific challenging topics. This is the approach that we took in response to doping issues in the late 1990s, and it is the approach we have taken with the Center for SafeSport.

U.S. Center for SafeSport

The Olympic Committee has long worked with the national governing bodies on efforts to protect athletes from sexual and other abuses. In 2010, the Olympic Committee determined that the issue warranted renewed attention following public reports of sexual abuse cases concerning swimmers. The Olympic Committee convened a working group to study the problem and make specific recommendations for improvements to the Olympic Committee board. Nina Kemppel, a four-time Olympic skier and current board member of the Olympic Committee, chaired the working group. The working group produced six comprehensive recommendations for action by the Olympic Committee: Increase its leadership role; lead by example; develop training materials; develop resources for use by local clubs and organizations; standardize services that promote safe training environments; and encourage national governing bodies to adopt policies to address sexual and physical misconduct.

Since then, the Olympic Committee has implemented each of the working group's recommendations. As it was implementing the working group's recommendations, the Olympic Committee concluded that the Olympic sports program would benefit from an independent entity dedicated to protecting youth athletes' safety. In June 2014, the Olympic Committee's board approved the creation of an independent SafeSport entity and began the process of establishing the Center for SafeSport. In September 2015, the Olympic Committee established the Center's nominating and governance committee. In January 2016, the first board of the Center was seated and held its first meeting. In June 2016, the Olympic Committee's board approved the launch of

the Center. In November 2016, the Center selected its first chief executive officer, Shellie Pfohl, who previously served as the executive director of the President's Council on Fitness, Sports, and Nutrition. In March 2017, the Center officially opened.

The Center's activities are guided by a SafeSport Code that covers everything from harassment and hazing to physical and sexual misconduct. In addition to the Code, the Center for SafeSport has adopted practices and procedures and procedural rules for arbitration that govern its investigation and resolution of alleged violations. These important procedural improvements centralize and clarify the process by which allegations of abuse are investigated and resolved. By adopting clear procedures that apply to all investigations by the Center, we seek to ensure a fair process that permits swift actions to protect children.

The Olympic Committee requires each national governing body to participate in the Center for SafeSport as a condition of being recognized by the Olympic Committee. Specifically, under section 8.7(l) of the Olympic Committee's bylaws, each national governing body must comply with the Olympic Committee's policies related to SafeSport and, additionally, the policies and procedures of the Center for SafeSport. These provisions require all national governing bodies and their personnel to report suspected sexual abuse to the Center and to law enforcement. The Center has exclusive authority within the Olympic and Paralympic community to investigate and resolve violations involving sexual misconduct. Additionally, the Center has discretionary authority to assume responsibility for the investigation and resolution of other violations of the Code; if not exercised, the applicable governing body retains the authority and obligation to investigate and resolve the allegation.

The Olympic Committee's regular and periodic audits of the independent national governing bodies include auditing of the organizations' compliance with the requirements of SafeSport. In 2017, the Olympic Committee engaged a third-party auditor, Baker Tilly Virchow Krause, to audit the compliance of the Olympic Committee and all the national governing bodies with SafeSport policies and procedures. The audit focused on compliance with the Athlete Safety Policy and the policies associated with the then-new Center for SafeSport. After the initial audit, each organization (including the Olympic Committee) was required to address deficiencies, and the Olympic Committee is monitoring and reviewing follow up. The audit results are available on our website. The Olympic Committee is now undertaking rolling audits of national governing bodies throughout the year, using its internal audit division supplemented by outside assistance.

The Center for SafeSport seeks to address the barriers and disincentives that victims may face when seeking to report abuse. The Center creates an independent path for reporting and an independent system for investigating and resolving cases of sexual abuse. With the Center, we have created a system that removes the investigation and resolution of allegations of sexual abuse from the control of any national governing body, including USA Gymnastics, and a resource dedicated to education and awareness of the importance of reporting abuse. We believe that these changes will significantly improve the protection of youth athletes from sexual and other abuses.

The approach that we have taken with the Center for SafeSport is similar to the approach that we previously adopted in establishing the U.S. Anti-Doping Agency in 1999. The U.S.

Anti-Doping Agency has been very successful at concentrating expertise and ensuring independence in investigations of doping issues. By following this model in the creation of the Center for SafeSport, we will also bring expertise and independence to our efforts to prevent abuse of youth athletes.

Recently, Congress and the President enacted the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act, which complements and further strengthens the reporting requirements of the Olympic Committee and the Center. The law imposes a mandatory reporting requirement on any adult authorized by a national governing body or member to interact with a minor or amateur athlete at an amateur sports organization facility or at an event sanctioned by a national governing body or member. The legislation also provides federal authorization for the Center. The Olympic Committee supported this legislation and worked with Congress on its passage. The legislation helpfully brings the force of federal law behind the mandatory reporting requirements of the Center's rules.

USA Gymnastics

Over the months since the launch of the Center in March 2017, we have unfortunately continued to see new and concerning revelations about the Olympic community's failure to protect athletes, particularly with respect to USA Gymnastics, and in other sports as well. In June 2017, Deborah Daniels issued a report that examined USA Gymnastics' bylaws, policies, procedures, and practices related to handling sexual misconduct matters. After conducting more than 160 interviews, Ms. Daniels recommended a number of structural and policy changes within USA Gymnastics. The USA Gymnastics board voted unanimously to accept her recommendations.

Most significantly, in January 2018, the entire Olympic community was shocked and horrified to hear the powerful statements from the victims of Larry Nassar. On January 24, 2018, the Olympic Committee issued an open letter to all Olympic athletes announcing that it would launch an independent investigation into the detection and reporting of Nassar within both USA Gymnastics and the Olympic Committee. On January 25, 2018, the Olympic Committee issued a letter to the board of USA Gymnastics outlining six specific steps that the Olympic Committee is requiring of USA Gymnastics. In the letter to USA Gymnastics, the Olympic Committee specifically indicated that completion of these actions was necessary for USA Gymnastics to retain its recognition as the national governing body for Olympic gymnastics.

First, the Olympic Committee required all members of the USA Gymnastics board to resign. That process was completed on January 30, 2018. Second, the Olympic Committee required USA Gymnastics to seat an interim board, consistent with its current bylaws, with all new membership (except that the athletes may reelect their representatives) by February 28, 2018. That process was completed on February 27, 2018. Third, USA Gymnastics must create a new permanent board within one year. We now expect that will be completed this summer. Fourth, for the next year, an Olympic Committee representative must participate in each board meeting of USA Gymnastics, the USA Gymnastics board must discuss and report on progress instituting reforms, and USA Gymnastics must cooperate with the independent investigation, among other requirements. Fifth, all USA Gymnastics staff and board members were required to

complete SafeSport training within three months, which they have now completed. And, sixth, all USA Gymnastics staff and board members must complete ethics training within six months.

The Olympic Committee took these unprecedented actions because it concluded that an entirely new leadership structure was needed to rebuild USA Gymnastics. The Olympic Committee offered to assist USA Gymnastics with its rebuilding effort. Indeed, officials of the Olympic Committee have been working closely with USA Gymnastics' new CEO, Kerry Perry, on supporting the selection and seating of new board members, the other reforms required by the Olympic Committee, and revisions to USA Gymnastics' bylaws to provide a more independent board. Again, the Olympic Committee explicitly stated that if USA Gymnastics fails to implement these reforms, the Olympic Committee will pursue termination of USA Gymnastics' designation as a national governing body.

On February 2, 2018, a special committee of the board of the Olympic Committee announced that it had hired the law firm Ropes & Gray to conduct the independent investigation announced on January 24. The investigation is now examining the decades-long abuse by Nassar to determine when individuals affiliated with USA Gymnastics or the Olympic Committee first became aware of any evidence of Nassar's abuse of athletes, what that evidence was, and what they did with it. Joan McPhee and James Dowden, both former federal prosecutors, are leading the investigation. The investigators have full discretion to carry out the investigation and make findings as they deem appropriate. The Olympic Committee directed Ropes & Gray to prepare and issue a public written report at the conclusion of the investigation. The Olympic Committee pledged its full support to the investigation, including access to relevant documents and witnesses. USA Gymnastics has also confirmed its cooperation.

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Thank you for the opportunity to address these critically important issues. We owe it to the victims and survivors of abuse in sports to ensure that our efforts to improve the safety and security of Olympic athletes never cease. I would be happy to answer your questions.